

Minutes

Regular Monthly meeting of the Village Board of Trustees

Wednesday, October 10, 2018

Present: Mayor James Dunham

Trustees: Dale Leiser

Robert Baumeister

David Flaherty

Absent: Trustee Richard Phillips

Also attending: CEO/ZEO, Glenn Smith; Climate Smart Chair, Fire Captain, Larry Eisen; Nick Eisen William Mancini; Ronald Rich, Ed Hamilton; Mark Browne; Jake Samascott; Susan Patterson; Gregg Seaman; Mary Anne Radomski; Bill Barford; Columbia Land Conservancy, Christine Vanderlan; Register Star Reporter, Logen Weiss; The Columbia Paper Reporter, Emilia Teasdale.

Annual audit of the Court Clerk and Village Clerk's Books

Court Clerk-The annual audit of the Village Court Clerk's books was conducted using the State Comptrollers Appendix D of the General Record-Keeping requirements for Town and Village Justice Courts. The Village Board found the Court Clerk's books to be in satisfactory order.

Village Clerk-The annual audit of the Village Clerk's books was conducted using the State Comptroller's Appendix A General Record –Keeping Requirements for Chief Fiscal Officers. The Village Board found the Village Clerk's books to be in satisfactory order.

PUBLIC HEARING

Application of the *Matter of the County of Monroe v. City of Rochester* 72 N.Y.2d 338, 533 N.Y.S.2d 702, to the Village of Kinderhook's acquisition and proposed trail use of a 0.48 A parcel from the Samascott farm for the Albany-Hudson Electric Trail, making the project exempt from the Code of the Village of Kinderhook as a municipality sponsored project.

Mayor Dunham opened the Public Hearing at 7:00 pm. He read aloud the Public Hearing Notice published on September 25, 2018 in The Register Star.

Mayor Dunham explained the Hudson Valley Greenway is using the National Grid right of way to develop the Albany Hudson Electric Trail that will go through the village. A portion of the trail that would go in-between 41 and 43 Albany Ave is too narrow for the trail. Hudson Valley Greenway is proposing the village purchase a small strip of land from Samascott's that will allow the trail to exit onto Sunset Avenue. The usual course of action would be for the village to request a variance from the village's Zoning Board of Appeals and a request for a sub division and a Special Use Permit with the village's Planning Board. The village attorney recommends the village follow the process of "Government Immunity from Zoning" NY Department of State by James A. Coon Local Government Technical Series.

The following are nine factors the village will need to address:

1. The nature and scope of the instrumentality (agency) seeking immunity.
2. The encroaching government's legislative authority.
3. The kind of function or land use involved.
4. The effect land use regulation would have on upon the enterprise concerned.
5. Alternative locations for the facility in less restrictive zoning areas.
6. The impact upon legitimate local interests.
7. Alternative methods of providing the proposed improvements
8. The extent of public interest to be served by the improvements.
9. Intergovernmental participation in the project development process and an opportunity to be heard.

Mayor Dunham opened the floor to the public.

Mary Anne Radomski, 5 Rothermel- she is new to the village and has not attended any meetings.

Q: How will the trail impact property values?

A: Research shows property values increase

Q: Is this a done deal?

A: Yes, the Hudson Valley Greenway has worked on this since 2017 they are in the final stages before letting the construction

Q: What will the trail look like grass, paved? Who will maintain?

A: The village portion will be stone dust and the village DPW is currently maintaining the area now, and will maintain the trail.

Q: She is concerned with motorized vehicles

A: Motorized vehicles are not allowed

Q: Will they remove all the brush behind her house or just enough for the trail

A: No, the path is 8ft wide with a four 4ft shoulders totaling 16 ft width.

Trustee Flaherty recommended Mrs. Radomski to google the AHET. He noted Hudson Valley Greenway has done a great job in showing where the proposed trail will be and artistic drawings on how it will look.

Sue Patterson, 85 Broad Street-

Q: Are the maps for the proposed trails on the website

A: Yes, under the documents section broken down by Towns

Ronald Rich, 33 Apple Tree Valatie-Is a Board member of a new organization Columbia Friends of the Electric Trail. A non for profit that was formed for three purposes (1) To help maintain the AHET (2) promote the trail (3) Work with other trails groups to work collaboratively to connect other trails to Lindenwald. He stated on behalf of Columbia Friends of the Electric Trail they wanted to applaud the village's efforts in assisting of the rerouting issues of the trail and wanting to thank the Samascott's family in making their property available to deal with the rerouting issue. He feels this is the best thing that has happened to the village in terms of recreation and tourism at no cost to the taxpayer at the local tax base as it is being funded by NYS.

Mayor Dunham noted there will be some minor maintenance costs to the village.

Mark Browne, 44 Eichybush Rd

Q: Will the village own the property given from Samascott's to the AHET

A: Yes, the village is purchasing the land from Samascott's and the cost will be reimbursed by the Hudson Valley Greenway

No other public comments received. Mayor Dunham closed the Public Hearing at 7:14 pm.

Mayor Dunham called the regular monthly meeting to order at 7:30pm.

TAXPAYER TIME

No comments received.

MINUTES

A motion made by Trustee Flaherty approving the minutes of September 12, 2018 Regular monthly meeting; seconded by Trustee Leiser. All voted "aye".

BUDGET AMENDMENTS

A motion made by Trustee Flaherty approving the following budget amendments presented by the Treasurer; seconded by Trustee Leiser. All voted "aye".

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A.1440.4 Engineer Contractual	A.1989.4 Consultant	\$7,170.00
A.5110.1 Street Maintenance Personal Service	A.5410.1 Sidewalk Personal Service	\$528.03

ABSTRACT

A motion made by Trustee Flaherty approving the monthly abstract in the amount of \$72,990.86; seconded by Trustee Baumeister. All voted "aye".

TREASURER'S REPORT

Trustee Leiser made a motion approving the Treasurer's Report; seconded by Trustee Flaherty. All voted "aye".

FIRE DEPARTMENT

Fire Captain, Larry Eisen reported 6 calls, 3 drills and 3 details for September. Fire Reports for August and September were received.

The fire company purchased 30 Hydrant adapters using the 50/50 NYS DEC matching grant.

Fire truck 35-12 is having annual service done. Fire truck 35-13 is scheduled for annual service Monday, November 22nd.

Driveway-Due to all the rain Canaday Sweepers has not been able to pave the back parking lot and driveway. If the weather clears they will pave next week.

DPW

Superintendent, David Booth was unable to attend the meeting.

Leaf season-The DPW will place the leaf machine on the truck this week. The DPW will be picking up leaves starting this Monday.

Water Department-Trustee Leiser scheduled Smith Well Drilling to clean Pump #1 before winter.

Rothermel Lane Project- Colarusso completed the paving project on Rothermel Lane from Rt 9 to the Playground Driveway. A berm may need to be added along a few driveways to keep residents yard from flooding. Detectable service markers need to be installed at the Rt. 9 intersection to receive CHIP funds.

Village Highway Work Permit-Mayor Dunham created a one page form for contractors to submit to the village when they would like to work along village roads. This permit will need to be submitted proving they have the proper insurance and, when excavating, that they have contacted Dig Safely before any work is performed.

CODE ENFORCEMENT OFFICER

The CEO/ZEO's monthly report was received with 13 permits issued and \$1,365.00 of fees collected. He has issued 37 letters to date on Political signs.

19 Rothermel Ave- the residents are slowly working on rectifying the property violations. Glenn took several pictures of the progress to show the Village Board.

Zombie Properties Ordinance- Is on hold, Glenn has not had time to contact the Village Attorney.

Emergency Access Systems-Is on hold, Glenn is an advocate of the program. The village is awaiting feedback from our Fire Department. The Chief will keep a log of the calls to a business to determine if they should move forward.

TREES

12 Broad Street-With the development of the Dutch Inn, Mayor Dunham has requested an estimate from New Leaf to remove the trees in front of 8, 10, and 12 Broad Street. Mayor Dunham noted the roots from the trees have raised the sidewalks. A new water line needs to be installed to the Dutch Inn and new shut off to 8 Broad Street. The trees will need to be removed for the water line work.

TRAFFIC CALMING STUDY

Mayor Dunham, Trustee Phillips, Lieutenant, David Kolb and Sargent, Paul Strobel met to discuss having a Pedestrian Awareness Week in the Village the week of Thanksgiving. Columbia County Sheriff, David Barlett

was unable to attend due an emergency. The State Police and the Sheriff's office will have additional patrols that week promoting more pedestrian and bicycle safety. The State Police will have radar patrol in the village twice a month and the Sheriff's will have radar patrol once a month. The village board will discuss adopting a resolution to have a Pedestrian Awareness Week at the November Village board meeting.

ALBANY HUDSON ELECTRIC TRAIL

Columbia Friends of the Electric Trail to support trail maintenance-There are several municipalities that will not maintain the trail. This is one of the reasons Columbia Friends of the Electric Trail was formed. Hudson Valley Greenway will provide a donation to the non for profit but it will be mainly the dedicated volunteers to keep the 15 miles of trails cleared. It will cost the village approximately \$1,200 a year for the trail. The village DPW is currently maintaining some of the area now.

Design of AHET crossing of village streets-Resident Bill Barford inquired if there will be signage noting where the trails are and if there signage at the crossing along the road. Mayor Dunham noted there will be signage and a gradual raised island will be installed across the road on Albany Ave. If they work well they will install at the other intersections of the road and the trail. If not, a horizontal light that flashes will be installed.

Monroe Co Case to give Village Board authorization for actions for taking from Samascott's- The village is waiting until the final Environmental Process is completed and adopted by Hudson Valley Greenway before the village can adopt and address the nine factors presented in the public hearing.

Trailhead at Rothermel Park-There will be a 31 car parking area including an area for bike racks and picnic area. This will be to the right of the basketball court.

CLIMATE SMART COMMUNITIES TASK FORCE

VILLAGE SOLAR: On September 28th, members of the Climate Smart Task Force and Trustee Dale Leiser met with Juan Quinones of Sun Dog to discuss ideas regarding the use of solar power for the Village buildings. William Mancini provided National Grid bills to him for his analysis. He suggested the possibility of using solar panels at the pump station. As yet the committee has not heard back from Sun Dog. Mr. Mancini will also follow up with other possible solar providers.

EVC Station Status: The contract for the charging station has been issued by the DEC. Chris Carmody from Plugin Online said that once all the agreements are reviewed and signed it would take two weeks for him to complete the installation. Final activation will depend on National Grid's providing a connection to the grid.

FUTURE TASK FORCE PROJECTS: When EVC Station is operational, the Village will receive a \$35,000 award from the state. Within 90 days of receipt, the Village is required to submit plan(s) for using the award on environmentally sound project(s). The committee would prefer that the board consider promoting projects that provide visibility to our environmental efforts. Some ideas the committee discussed are:

1. Lighting upgrades to the Village Hall and other buildings.
2. Installation of a solar energy system to provide power to the some or all municipal properties.
3. Installation of recycling containers in the Village Square similar to the trash containers presently installed there.
4. Partnering with the KPBA and vendors in the Farmers' Market to encourage the use of reusable shopping bags by providing reusable/canvas bags to shoppers.
5. A Village light bulb exchange where LED bulbs would be purchased by the Village and then exchanged for residents' incandescent or florescent lights.
6. The committee is also continuing to explore the feasibility of a pilot food recycling/redistribution program in the Village.

Mr. Mancini is requesting on behalf of the Climate Smart committee that the village board agree to sign the letter of support for the Capital District Regional Planning Commission's bid to initiate their Heat & Cool Smart Campaign. The village board agreed to have Mayor Dunham send a letter of support.

WILLIAM STREET RT. 9 TO MAIDEN LANE

TGW Consulting Group submitted the application for grant funding with the New York State Infrastructure that was due on September 7, 2018 to assist with funding to replace the water lines.

ZONING BOARD

The meeting was cancelled no new business submitted.

PLANNING BOARD

The Village Board received the proposed POD and Dumpster Regulations from the Planning Board. Mayor Dunham has a few changes and would like to send them to the Planning Board for review.

HISTORIC PRESERVATION COMMISSION

The meeting was cancelled no new business submitted.

YOUTH PROGRAM RESOLUTION TO APPLY FOR FUNDS WITH NYS DIVISION OF YOUTH

Trustee Baumeister made the following Resolution:

BE IT RESOLVED that the Village of Kinderhook will submit an application to the New York State Division of Youth for the 2019 Youth Program.

Trustee Flaherty seconded the resolution. All voted "aye".

ECONOMIC DEVELOPMENT DIRECTOR

The EDC Director's monthly report was received.

Netherlands Sister City- Renee is working with Buren on expanding the connections between the communities. She is also working with the KBPA to print special OK stickers with the Kinderhook/Buren Sister Cities Since 2018 that can be sold in gift shops. Mark Browne sent T-shirts to Buren that were made for the Dutch Farming Trail Run at Lindenwold. The back of the shirts say "Run The Farm" in Dutch. Two shirts were sent to the Mayor of Buren.

Local Waterfront Revitalization and the Hudson River Valley Greenway grant – Barton & Loguidice is preparing an application to the Hudson Valley Greenway for the first phase of the preliminary study. The Local Waterfront Revitalization will address recreational uses of the creek.

NYS DOT

Shared Service Agreement-Mayor Dunham spoke with Tom Story today and will sign the agreement.

North Bound on Rt 9 restriction to use of parking lane – New York State DOT will be striping the area to the right of the northbound lane at the traffic light as a parking lane only.

VILLAGE HALL

Van Buren Hall Committee-The committee is on hold.

Back Stairway-Trustee Flaherty received three quotes for the removal and replacement of the back staircase on the Village Hall with a galvanized stair case.

(1) R&R Metal Fabrication & Welding LLC \$35,420

(2) West End Iron Works Inc. \$23,195

(3) S & S Fabrication Inc. \$21,980

A motion made by Trustee Flaherty to award S & S Fabrication the bid; seconded by Trustee Baumeister. All voted "aye."

Exterior masonry-Lance Glenn found wood rot under the brick on the north side of the Village Hall. He will meet with David Booth on a plan and price e what needs to be done to address the issue.

Village Hall-Trustee Flaherty and Mayor Dunham met with Judge Dellehunt there may be financial assistants from Justice Court Grant Funds to fix the intrusion of the water coming into the village by the front door.

Trustee Flaherty will go before the HPC Committee for approval of the replacing of the lights on the Village Hall.

Speaker system-The new PA system arrived from Krutchfield. Judge Dellehunt will be trying the new system during the Halloween Festivities in Van Buren Hall.

UNPAID WATER, SEWER & TAX BILLS

Water, Sewer, and Village taxes bills- The October water and sewer bills was sent out on October 1st due on October 31st.

WASTE WATER COLLECTION

Meter at Pump station-Mayor Dunham has a company coming to clean out the pump station as recommended by Emmons Pump last month during their annual inspection.

Grease trap policy-The village received guidance from Clark Engineering during the sewer project for the sizing grease traps. With the previous Dutch Inn proposing to open the village will work with Jake Samascott to determine the grease trap needed.

DEMONSTRATIONS

The Nuns on the buss are coming for a demonstration on November 21st from California. They are requesting to park the bus on the Oneway Street. Mayor Dunham will reserve a spot for them to park and inform the State Police.

APPLICATIONS

A motion made by Trustee Flaherty approving the following applications; seconded by Trustee Baumeister. All voted "aye".

- a. V.E.R.A. requested a sign banner to advertise their Artisan's Festival from Sept. 25-October 7
- b. Ron Rich requested a sign to advertise the Red Apple Run on Sept. 30, 2018
- c. KBPA requested to extend the Farmers Market on Saturdays through October 2018
- d. Dan Curtin is requesting Van Buren Hall from 6/7/19 at 4 pm-6/8/19 until noon for the OK5K Race and sign advertising
- e. Cindy Guggisberg is requesting Van Buren Hall the evening of December 15, 2018 to listen to their children play music
- f. Columbia County Historical Society is requesting Van Buren Hall on October 16th and November 20th for a lecture

COLUMBIA COUNTY MULTI-JURISDICTIONAL PLAN

Resolution by: Mayor James Dunham;

Seconded by: Trustee Dale Leiser.

WHEREAS, the Village of Kinderhook with the assistance from Ecology and Environment, Inc., has gathered information and prepared the Columbia County Multi-Jurisdictional Plan; and

WHEREAS, the Columbia County Multi-Jurisdictional Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Village of Kinderhook is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, Village of Kinderhook Board of Trustees have reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED by Village Board of Trustees that the Village of Kinderhook adopts the Columbia County Multi-Jurisdictional Plan as this jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions in the Plan.

Upon question of the foregoing Resolution, the following Board members voted "Aye" in favor of the Resolution:

Mayor James Dunham;

Trustee Dale Leiser;

Trustee Robert Baumeister; and

Trustee David Flaherty.

The following Board members voted "No" in opposition thereto:

_____ ; and
_____.

The Resolution having been approved by a majority of the Village Board, the same was declared duly adopted by the Mayor of the Village of Kinderhook.

RECREATION COMMISSION

The Halloween Festivities is scheduled for October 27, 2018 at Van Buren Hall at 2:00 pm.

KBPA

Fall Festival was October 6th from 9am-1pm in the Village Square. Mayor Dunham thanked Jake Samascott for the pumpkins and the hay rides given.

TAXPAYER TIME

No public comment.

A motion made by Trustee Flaherty to adjourn the meeting at 8:29 pm; seconded by Trustee Leiser. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk